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SENATE

REPORT
101-495

AUTHORIZING A STUDY OF NATIONALLY SIGNIFICANT PLACES IN AMERICAN LABOR HISTORY

OCTOBER 3 (legislative day, October 2), 1990.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 2949]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 2949) to authorize a study of nationally significant places in American Labor History, having considered the same, reports favorably thereon without amendment and recommends that the act do pass.

PURPOSES OF THE MEASURE

The purpose of H.R. 2949, as ordered reported, is to direct the Secretary of the Interior to prepare a National Historic Landmark Theme Study on American Labor History.

BACKGROUND AND NEED

The 1935 Historic Sites Act established the National Historic Landmarks program to identify and commemorate sites of national significance. Since that time, almost 1,900 sites have been designated as National Historic Landmarks. The National Park Service has established a "thematic framework" for National Historic Landmarks, which outlines the landmarks' interpretation of American history.

Various categories in the framework relate to the history of work and working people, including "Agriculture," "Extractive or Mining Industries," "Manufacturing Organizations," "Construction and Housing" and "Labor Organizations." Twelve properties relat-

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ing to American labor history have currently been designated as National Historic Landmarks.

H.R. 2949, as ordered reported, would direct the Secretary of the Interior to conduct a theme study to identify other key sites in American labor history, and to nominate potential National Historic Landmarks relating to this theme.

LEGISLATIVE HISTORY

H.R. 2949 passed the House of Representatives by a voice vote on July 30, 1990. Similar legislation, S. 2072, was introduced in the Senate by Senator Moynihan on February 6, 1990. The Subcommittee on Public Lands, National Parks and Forests held a hearing on S. 2072 on May 17, 1990.

At the business meeting on September 19, 1990, the Senate Committee on Energy and Natural Resources ordered H.R. 2949 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on September 19, 1990, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 2949 as described herein.

The roll call vote on reporting the measure was 18 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston [1]	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Conrad	
Mr. Heflin [1]	
Mr. Akaka [1]	
Mr. McClure	
Mr. Hatfield [1]	
Mr. Domenici [1]	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles [1]	
Mr. Burns	
Mr. Garn [1]	
Mr. McConnell	

[1] Indicates voted by proxy.

SECTION-BY-SECTION ANALYSIS

Section 1 directs the Secretary of the Interior to prepare and transmit to Congress within 3 years after the date of enactment of this Act a National Historic Landmark Theme Study on American Labor History. The purpose of the theme study shall be to identify the key sites in American labor history. The study is to identify, evaluate, and nominate as National Historic Landmarks those dis-

tricts, sites, buildings and structures that best illustrate or commemorate American labor history. The section further provides that the Secretary, on the basis of the theme study, shall identify possible new park units appropriate to this theme.

Section 2 provides that the Secretary is to consult with workers, their representatives, scholars of labor history and historic preservationists for technical assistance and for the preparation of guidelines for the theme study.

Section 3 directs the Secretary to enter into cooperative agreements with one or more major scholarly and public historic organizations knowledgeable of American labor history to prepare the theme study and to ensure that the theme study meets scholarly standards.

Section 4 authorizes the appropriation of $250,000 to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 21, 1990.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2949, an act to authorize a study of nationally significant places in American labor history, as ordered reported by the Senate Committee on Energy and Natural Resources, September 19, 1990. Implementation of this act would cost the federal government $250,000, assuming appropriation of the necessary sums.

H.R. 2949 would direct the Secretary of the Interior to prepare a study to identify key sites in American labor history and to identify possible national historic landmarks and possible new park units to commemorate American labor history. The act would authorize the appropriation of $250,000 for these purposes. Assuming appropriation of the necessary sums, the National Park Service would spend the $250,000 over the 1991–1993 period to conduct the study.

Enactment of this legislation would have no impact on the budgets of state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2949. The Act is not a regulatory measure in the sense of im-

posing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2949, as ordered reported.

EXECUTIVE COMMUNICATIONS

On April 30, 1990, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 2072. These reports had not been received at the time the report on H.R. 2949 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF JAMES W. STEWART, ASSISTANT DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I appreciate the opportunity to provide your Subcommittee with the views of the Department of the Interior on this legislation.

While we believe there is adequate authority under existing law to accomplish the study proposed in S. 2072, and some properties associated with labor have already been studied, we would not object to the enactment of the bill if it is amended as suggested in this statement.

S. 2072 would direct the Secretary of the Interior within 2 years after enactment, in consultation with the Secretary of Labor and pursuant to guidelines established by a separate advisory board, to prepare and transmit to Congress a National Historic Landmark Theme Study on American Labor History. The bill directs the Secretary of the Interior to establish a 10-member advisory board to provide policy guidelines and technical assistance; and it directs the Secretary to enter into cooperative agreements with organizations to prepare the theme study and ensure that it meets scholarly standards. The bill authorizes the appropriation of $500,000 to carry out its provisions.

Section 2(b) of the Historic Sites Act of 1935 authorizes the Secretary of the Interior to make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exeptional value in commemorating or illustrating the history of the United States. Section 4 of the Act also authorizes the Secretary to seek and accept the assistance of any Federal, State, or municipal agency or any educational, seientific or patriotic association or any individual.

Under the authority of the 1935 Act, the National Park Service has conducted studies of many of the broad themes in American history. These studies identify which sites are of national significance, and thereby eligible for designa-

tion as National Historic Landmarks. Some 12 properties importantly related to American labor history have already been designated.

We have for some years believed, however, that a full-fledged theme study of American Labor History would be appropriate. No such study has been done, and none has been programmed in the next few years.

We recommend the following amendments to S. 2072:

1. On page 1, line 4, strike out "Within 2 years after enactment of, "and insert "Within 3 years after funds are made available therefor pursuant to."

This amendment makes the deadline effective from the date that funds are made available for the study, rather than from the date of enactment of this authorization. Without the necessary funds to complete this study, we would have to use funds identified for other studies in order to meet the 2 year deadline, and other earlier commitments could not be met. In addition, funding for this study would be subject to the budgetary priority setting process. We recommend 3 years for completion of the study rather than 2, based on our experience with the conduct of theme studies and the need for full consultation with interested parties and owners.

2. On page 2, strike out the sentence beginning in line 9 through the period in line 11.

This amendment strikes the requirement that the theme study identify possible locations, components, and features of new park units. Studies of new park units require considerations of suitability and feasibility, which are not required in the usual history theme study. The theme study identifies sites that are potentially nationally significant. We believe a determination of national significance, through the medium of the theme study, should precede any formal suitability and feasibility study of possible new park units.

3. Beginning in line 12 on page 2, through line 14 on page 3, strike out section 2 in its entirety.

This amendment strikes the requirement that the Secretary appoint a 10-member advisory board to provide policy, guidelines and technical assistance in the conduct and preparation of the study. Such a board would duplicate the function of the existing National Park System Advisory Board, which is required by National Historic Landmark Program regulations to review and make recommendations on potential historic landmarks. Such a new advisory board would unnecessarily delay the study while members were appointed and the new board developed guidelines for the study. As noted earlier, the Secretary is already authorized to seek and accept assistance from educational, scientific, or patriotic associations in carrying out the functions of the Historic Sites Act of 1935. Under that author-

ity we would welcome input and review from labor organizations and historians of labor in the conduct of the theme study.

4. On page 3, beginning in line 15, strike out all of section 3 through the period in line 20.

This amendment strikes the requirement that the Secretary enter into cooperative agreements with organizations to prepare the theme study and ensure it meets scholarly standards. National Park Service historians are qualified to prepare the study, and if we need to contract for portions of it the Service already has the option of concluding such a cooperative agreement. We cannot be sure, at this stage, that an external group or organization would be willing and capable of conducting the study. I can assure the Subcommittee, however, that we will, in any case, seek review of the study by qualified historians outside the Service.

5. On page 3, line 22, strike out "$500,000" and insert "$200,000" in lieu thereof.

This amendment reflects our estimate of the cost of the theme study—$200,000—if our amendments are accepted.

This concludes my prepared remarks, Mr. Chairman. I would be pleased to respond to your questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act, H.R. 2949, as ordered reported.

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